

IN THE DRAWINGS:

The attached sheets of drawings include changes to Fig. 1, 2 and 3. Attached sheet 1 replaces original sheet 1 and includes changes to Fig. 1. Attached sheet 2 replaces original sheet 2 and includes changes to Fig. 2, and 3.

Attachment: Replacement Sheets 1-2
Annotated Sheet Showing Changes

REMARKS

This is intended as a full and complete response to the Office Action dated December 9, 2004, having a shortened statutory period for response set to expire on March 9, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-25 remain pending in the application and are shown above. Claims 1-25 are rejected by the Examiner. New claims 26-29 have been added. Reconsideration of the rejected claims is requested for reasons presented below.

Specification

In the specification, the title has been amended to that suggested by the Examiner. Further, amendments have been made to paragraphs [0022], [0023] and [0026] in order to correct clerical errors. No new matter has been added.

Drawings

In amended Figure 1, the previously omitted element numeral 27 has been added. Further, a controller 33 shown schematically and a wire 31 have been added in accordance with the specification. No new matter has been added.

In amended Figure 2, element numerals 54, 58 and 63 have been deleted.

In amended Figure 3, element numeral 30 has been changed to element numeral 27 in accordance with the specification. No new matter has been added.

Claim Rejections - 35 USC 102

Kisman 6,039,121

Claims 1-6, 10-13, 15, 16, 18-23 and 25 are rejected under 36 U.S.C. 102(b) as being anticipated by *Kisman 6,039,121*.

Regarding claim 1, *Kisman* discloses “the formation fluid 9 flows through port 17 and into annulus 16 . . . [t]he liquid-phase fluid 27 flows downwardly to the bottom of the annulus 16, forming a liquid pool 28. The liquid-phase fluid 27 flows from the liquid pool 28 and into the bottom inlet 20 of the second conduit 19 to be artificially lifted.” (Col. 6, ln. 11-18). The annulus 16 is larger in diameter than conduit 12 and the annulus 16 contains a packer 15 which “blocks fluid flow at the bottom of the annulus 16.” (col. 5, ln. 37-38). Thus, the formation fluid in *Kisman* does not have a natural height within the first conduit due to port 17. Thus, *Kisman* does not teach, show, or suggest a wellbore having well fluids received therein from a formation into which said wellbore extends, the well fluids having a natural height within said wellbore as disclosed in amended claim 1 and claims 2-9 depending therefrom. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Regarding claim 2, *Kisman* discloses “wellbore 1 is defined broadly herein as the space or bore extending within the casing 6 and liner 7, between the wellhead 2 and the end of the liner 7.” (Col. 4, ln. 63-66). The end of the liner 7 is the terminus of the wellbore 1. Further, *Kisman* discloses “as the fluid 9 rises in the first conduit 12, its temperature falls. . .” (Col. 7, ln. 10). This temperature fall is illustrated in figures 3 and 4 shown as the bubbles. Thus, the area where the temperature falls in *Kisman* is above the pump and the end of the liner as shown in Figures 3 and 4. Thus, *Kisman* does not teach, show, or suggest said cooling zone is located intermediate said pump and said terminus as disclosed in claim 2 and claims 3-9 which depend therefrom. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Regarding claim 10, *Kisman* discloses “as the fluid 9 rises in the first conduit 12, its temperature falls. . .” (Col. 7, ln. 10). This temperature fall is illustrated in figures 3 and 4 shown as the bubbles. Further, *Kisman* discloses “the formation fluid 9 flows through port 17 and into annulus 16 . . . [t]he liquid-phase fluid 27 flows downwardly to the bottom of the annulus 16, forming a liquid pool 28. The liquid-phase fluid 27 flows from the liquid pool 28 and into the bottom inlet 20 of the second conduit 19 to be artificially lifted.” (Col. 6, ln. 11-18). Thus, in *Kisman* the fluid is cooled in a first conduit 12, then spills into a second tubular, then flows into a second conduit 19 where the pump is located. Thus, *Kisman* does not teach, show, or suggest providing a cooling

zone in a tubular in the wellbore cooling at least a portion of the fluid in the tubular and positioning a pump above the cooling zone in said tubular as disclosed in amended claim 10 and claims 11-17 which depend therefrom. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Regarding claim 18, *Kisman* does not teach, show, or suggest a controller to control the pump as disclosed in amended claim 18 and claims 19-25 which depend therefrom. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Skillman 6,533,033

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by *Skillman 6,533,033*. Regarding claim 1, *Skillman* does not disclose the pump having a controller. Further, *Skillman* discloses "[t]he flow of the water around the motor of said pump 52 provides a needed cooling affect upon said pump." (Col. 8, ln. 38-40). Therefore the pump is cooled by the well fluid, which would not cool the well fluid. Thus, *Skillman* does not teach, show, or suggest a cooling zone, for cooling the well fluid located within said well as disclosed in amended claim 1 and claim 2-9 which depend therefrom. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Claim Rejections - 35 USC 103

Claims 7-8, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kisman '121* in view of *Bridges et al. 4,524,827* and *Bownes et al. (5,549,160)*. As discussed above Applicants submit that claims 1, 10 and 18 are in condition for allowance and thus claims 7-8, 14 and 24 which depend therefrom are also in condition for allowance. Applicants respectfully request withdrawal of the rejection and allowance of the claims.

New Claims


New claims 26-29 have been added to better define aspects of the current invention. Claim 26 and 27 depend from claims 1 and 10 respectively. As stated above Applicants submit that claims 1 and 10 are in condition for allowance and thus claims 26 and 27 are also in condition for allowance. The references cited by the Examiner either alone or in combination do not teach, show, or suggest placing a pump within a cooling zone adjacent the interface where the fluid has cooled to a predetermined temperature as disclosed in new claim 28 and claim 29 which depends therefrom. Thus Applicants submit that claims 26-29 are in condition for allowance and respectfully request allowance of the same.

Conclusion

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

In conclusion, the references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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Fig. 3